

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

2-21-08 216
642-728 #50
LIFE ENRICHMENT FOUNDATION,
individually and on behalf of all others
similarly situated,

CIVIL ACTION
NO. 07cv9633 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY
O'NEAL, AHMASS L. FAKAHANY, GREGORY
J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

MICHAEL J. SAVENA, individually and on
behalf of all others similarly situated,

CIVIL ACTION
NO. 07cv9837 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY
O'NEAL, AHMASS L. FAKAHANY, GREGORY
J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

GARY KOSSEFF, individually and on behalf of
all others similarly situated,

CIVIL ACTION
NO. 07cv10984 (LBS)

Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY
O'NEAL, AHMASS L. FAKAHANY, GREGORY
J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

[Additional Captions on Following Page]

MOTION TO ADMIT COUNSEL PRO HAC VICE

ROBERT R. GARBER, individually and on behalf of all others similarly situated, : CIVIL ACTION
NO. 07cv11080 (LBS)

Plaintiff, :
:
v. :
:
MERRILL LYNCH & CO., INC., E. STANLEY :
O'NEAL, AHMASS L. FAKAHANY, GREGORY :
J. FLEMING, and JEFFREY N. EDWARDS, :
:
Defendants. :
:
JAMES CONN, individually and on behalf of all :
others similarly situated, : CIVIL ACTION
NO. 07cv11626 (LBS)

Plaintiff, :
:
v. :
:
MERRILL LYNCH & CO., INC., E. STANLEY :
O'NEAL, JEFFREY N. EDWARDS, LAWRENCE :
A. TOSI, ARMANDO M. CODINA, VIRGIS W. :
COLBERT, ALBERTO CRIBIORE, JOHN D. :
FINNEGAN, JUDITH MAYHEW JONAS, :
AULANA L. PETERS, JOSEPH W. PRUEHER, :
ANN N. REESE and CHARLES O. ROSSOTTI, :
:
Defendants. :
:
Pursuant to Rule 1.3(c) of the Local Rules of the United States District Court for the
Southern District of New York, I, A. Arnold Gershon, a member in good standing of the bar of
this Court, hereby move for an Order allowing the admission pro hac vice of the following
attorneys:
1

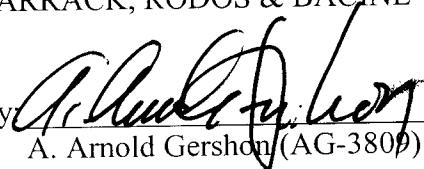
M. Richard Komins
Jeffrey A. Barrack
Barrack, Rodos & Bacine
3300 Two Commerce Square
2001 Market Street
Philadelphia, PA 19103
Telephone: (215) 963-0600
Fax: (215) 963-0838

M. Richard Komins and Jeffrey A. Barrack are both members in good standing of the Bar of the Commonwealth of Pennsylvania. There are no pending disciplinary proceeding against M. Richard Komins or Jeffrey A. Barrack in any state of federal court.

Dated: February 21, 2008
New York, New York

Respectfully submitted,

BARRACK, RODOS & BACINE

By 
A. Arnold Gershon (AG-3809)
1350 Broadway
Suite 1001
New York, NY 10018
(212) 688-0782
Fax: (212) 688-0783
Email: agershon@barrack.com

Co-Lead Counsel for Proposed Lead Plaintiff the State Teachers' Retirement System of Ohio

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LIFE ENRICHMENT FOUNDATION, individually and on behalf of all others similarly situated,	:	CIVIL ACTION NO. 07cv9633 (LBS)
Plaintiff,		:
v.		:
MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,	:	
Defendants.		:
<hr/>		
MICHAEL J. SAVENA, individually and on behalf of all others similarly situated,	:	CIVIL ACTION NO. 07cv9837 (LBS)
Plaintiff,		:
v.		:
MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,	:	
Defendants.		:
<hr/>		
GARY KOSSEFF, individually and on behalf of all others similarly situated,	:	CIVIL ACTION NO. 07cv10984 (LBS)
Plaintiff,		:
v.		:
MERRILL LYNCH & CO., INC., E. STANLEY O'NEAL, AHMASS L. FAKAHANY, GREGORY J. FLEMING, and JEFFREY N. EDWARDS,	:	
Defendants.		:

[Additional Captions on Following Page]

**AFFIDAVIT OF A. ARNOLD GERSHON IN SUPPORT OF
MOTION TO ADMIT COUNSEL PRO HAC VICE**

ROBERT R. GARBER, individually and on behalf	:	CIVIL ACTION
of all others similarly situated,	:	NO. 07cv11080 (LBS)

Plaintiff,	:	
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v.	:	
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MERRILL LYNCH & CO., INC., E. STANLEY	:	
O'NEAL, AHMASS L. FAKAHANY, GREGORY	:	
J. FLEMING, and JEFFREY N. EDWARDS,	:	

Defendants.	:	
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JAMES CONN, individually and on behalf of all	:	CIVIL ACTION
others similarly situated,	:	NO. 07cv11626 (LBS)

Plaintiff,	:	
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v.	:	
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MERRILL LYNCH & CO., INC., E. STANLEY	:	
O'NEAL, JEFFREY N. EDWARDS, LAWRENCE	:	
A. TOSI, ARMANDO M. CODINA, VIRGIS W.	:	
COLBERT, ALBERTO CRIBIORE, JOHN D.	:	
FINNEGAN, JUDITH MAYHEW JONAS,	:	
AULANA L. PETERS, JOSEPH W. PRUEHER,	:	
ANN N. REESE and CHARLES O. ROSSOTTI,	:	

Defendants.	:	
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A. Arnold Gershon, being duly sworn, hereby deposes and says as follows:

1. I am a partner at the law firm of Barrack, Rodos & Bacine and counsel for proposed lead plaintiff, State Teachers' Retirement System of Ohio ("Ohio STRS"), in the above-captioned matter. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of the motion to admit M. Richard Komins and Jeffrey A. Barrack pro hac vice to represent Ohio STRS in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law on March 28, 1966. I am also admitted to the bar of the United States District for the Southern District of New York, and am in good standing with this Court.

3. I have known M. Richard Komins and Jeffrey A. Barrack since December 2006.

4. Messrs. Komins and Barrack are partners at Barrack, Rodos & Bacine in Philadelphia, Pennsylvania.

5. I have found Messrs. Komins and Barrack to be skilled attorneys and persons of integrity. They are both experienced in federal practice and are familiar with the Federal Rules of Procedure.

6. Accordingly, I am pleased to move the admission pro hac vice of M. Richard Komins and Jeffrey A. Barrack.

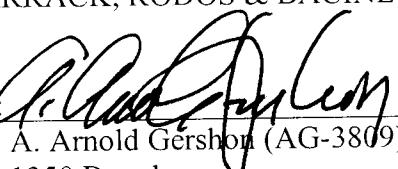
WHEREFORE, I respectfully request that the Court grant the motion to admit pro hac vice M. Richard Komins and Jeffrey A. Barrack as counsel for Ohio STRS in the above-captioned matter.

Dated: February 21, 2008
New York, New York

Respectfully submitted,

BARRACK, RODOS & BACINE

By:


A. Arnold Gershon (AG-3809)
1350 Broadway
Suite 1001
New York, NY 10018
(212) 688-0782
Fax: (212) 688-0783

Co-Lead Counsel for Proposed Lead Plaintiff the State Teachers' Retirement System of Ohio



Supreme Court of Pennsylvania

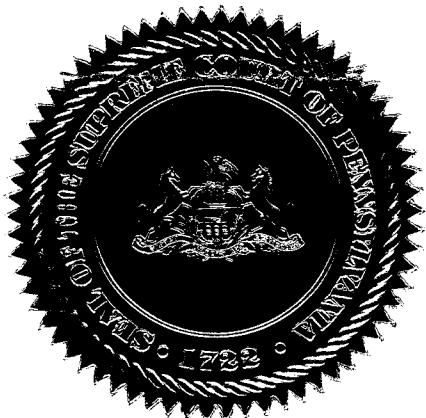
CERTIFICATE OF GOOD STANDING

M. Richard Komins, Esq.

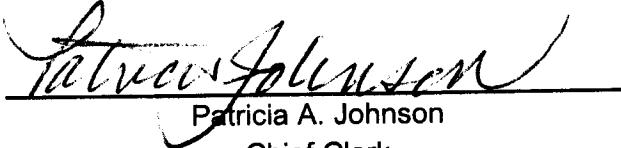
DATE OF ADMISSION

December 10, 1980

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal
Dated: February 20, 2008**



Patricia A. Johnson
Chief Clerk

CERTIFICATE OF GOOD STANDING

UNITED STATES OF AMERICA

EASTERN DISTRICT OF PENNSYLVANIA



I, Michael E. Kunz, Clerk of the United States District Court for the Eastern District of Pennsylvania,

DO HEREBY CERTIFY That M. Richard Komins , Bar # 33073, was duly admitted to practice in said Court on January 7, 1981, and is in good standing as a member of the bar of said Court.

DATED at Philadelphia, Pennsylvania

MICHAEL E. KUNZ
Clerk of Court

on February 15, 2008.

BY Aida Ayala
Aida Ayala, Deputy Clerk



Supreme Court of Pennsylvania

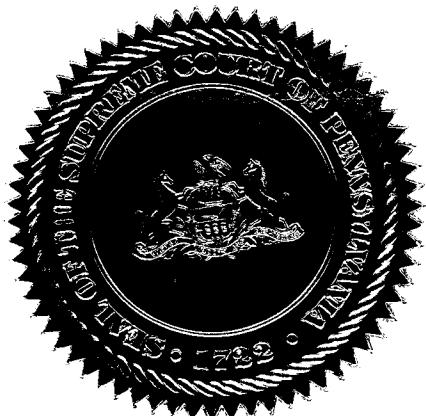
CERTIFICATE OF GOOD STANDING

Jeffrey Alan Barrack, Esq.

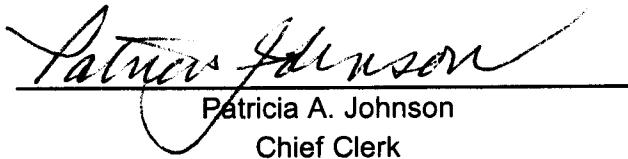
DATE OF ADMISSION

December 4, 1996

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal
Dated: February 20, 2008



Patricia A. Johnson
Chief Clerk

CERTIFICATE OF GOOD STANDING

UNITED STATES OF AMERICA

EASTERN DISTRICT OF PENNSYLVANIA }

I, Michael E. Kunz, Clerk of the United States District Court for the Eastern District of Pennsylvania,

DO HEREBY CERTIFY That Jeffrey A. Barrack , Bar # 78438, was duly admitted to practice in said Court on February 4, 1997, and is in good standing as a member of the bar of said Court.

DATED at Philadelphia, Pennsylvania

MICHAEL E. KUNZ

Clerk of Court

on February 15, 2008.

BY Aida Ayala
Aida Ayala, Deputy Clerk

CERTIFICATE OF SERVICE

I, A. Arnold Gershon, a member of the bar of this Court, hereby certify that true and correct copies of the foregoing Motion to Admit Counsel Pro Hac Vice and supporting affidavit, have been filed with the Clerk of the Court and copies have been served, via first-class mail, on all counsel of record.

Dated: February 21, 2008

By: 
A. Arnold Gershon (AG-3809)
BARRACK, RODOS & BACINE
1350 Broadway
Suite 1001
New York, NY 10018
(212) 688-0782
Fax: (212) 688-0783
Email: agershon@barrack.com

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LIFE ENRICHMENT FOUNDATION,
individually and on behalf of all others
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Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY
O'NEAL, AHMASS L. FAKAHANY, GREGORY
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Defendants.

MICHAEL J. SAVENA, individually and on
behalf of all others similarly situated,

Plaintiff,

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J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

GARY KOSSEFF, individually and on behalf of
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Plaintiff,

v.

MERRILL LYNCH & CO., INC., E. STANLEY
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Defendants.

CIVIL ACTION
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CIVIL ACTION
NO. 07cv9837 (LBS)

CIVIL ACTION
NO. 07cv10984 (LBS)

[Additional Captions on Following Page]

ORDER FOR ADMISSION PRO HAC VICE

ROBERT R. GARBER, individually and on behalf : CIVIL ACTION
of all others similarly situated, : NO. 07cv11080 (LBS)

Plaintiff,

MERRILL LYNCH & CO., INC., E. STANLEY
O'NEAL, AHMASS L. FAKAHANY, GREGORY
J. FLEMING, and JEFFREY N. EDWARDS,

Defendants.

JAMES CONN, individually and on behalf of all others similarly situated,

Plaintiff.

V. 1

MERRILL LYNCH & CO., INC., E. STANLEY
O'NEAL, JEFFREY N. EDWARDS, LAWRENCE
A. TOSI, ARMANDO M. CODINA, VIRGIS W.
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FINNEGAN, JUDITH MAYHEW JONAS,
AULANA L. PETERS, JOSEPH W. PRUEHER,
ANN N. REESE and CHARLES O. ROSSOTTI.

Defendants.:

Upon the motion of A. Arnold Gershon, counsel for proposed lead plaintiff State Teachers' Retirement System of Ohio, and his affidavit in support thereof:

IT IS HEREBY ORDERED that

M. Richard Komins
Jeffrey A. Barrack
Barrack, Rodos & Bacine
3300 Two Commerce Square
2001 Market Street
Philadelphia, PA 19103
Telephone: (215) 963-0600
Fax: (215) 963-0838
Email: mkomins@barrack.com
jbarrack@barrack.com

are admitted to practice pro hac vice as counsel for proposed lead plaintiff State Teachers' Retirement System of Ohio in the above-captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel has paid the pro hac vice fee to the Clerk of Court.

Dated: _____, 2008
New York, New York

United States District/Magistrate Judge